

III. REMARKS

By this amendment, claims 1, 4 and 5 have been amended and claims 2 and 3 have been canceled. As a result, claims 1 and 4-8 remain pending in this application. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 1-8 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Alter, Steven; *Information Systems: A Management Perspective*, 2nd Edition, The Benjamin/Cummings Publishing Company, 1996 (hereafter “Alter”), in view of Lacity (Lacity, Mary; Willcocks, Leslie P.; “An Empirical Investigation of Information Technology Sourcing Practices: Lessons from Experience”, MIS Quarterly, Sept. 1998), hereafter “Lacity,” and further in view of Willcocks *et al.* (Willcocks, Leslie; Choi, Chong; “Co-operative Partnership and ‘Total’ IT Outsourcing: From Contractual Obligation to Strategic Alliance?”, European Management Journal, March 1995), hereafter “Willcocks.”

Applicants respectfully submit that the references cited by the Office do not teach or suggest each and every feature of the claimed invention. For example, with respect to independent claim 1, Applicants submit that the cited references fail to teach or suggest determining best processes and methods according to values of said criteria by analyzing and manipulating the image using the graphic user interface. In contrast, the graph of Alter cited by the Office is not indicated as being able to be manipulated by a graphic user interface for use in

determining best processes and methods. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

Furthermore, Applicants respectfully submit that the references cited by the Office also fail to teach or suggest physically consolidating the IT sites of the geographic area to form a unique project geographic area for realizing the project business need by considering project cost parameters, distribution of skilled people groups and geographic site location peculiarities, which include cultural differences, language differences and legal constraints. The Office admits that Alter and Wilcocks fail to disclose this feature. Instead, the Office states that Lacity teaches using these factors. However, even assuming, *arguendo*, these factors are used by Lacity, they are used in considering outsourcing and not in physical consolidation of IT sites of a company. Accordingly, Applicants respectfully request that the Office withdraw its rejection.

With respect to dependent claims, Applicants herein incorporate the arguments presented above with respect to the independent claims from which the claims depend. Furthermore, Applicants submit that all defendant claims are allowable based on their own distinct features. Since the cited art does not teach each and every feature of the claimed invention, Applicants respectfully request withdrawal of this rejection.

IV. CONCLUSION

In addition to the above arguments, Applicants submit that each of the pending claims is patentable for one or more additional unique features. To this extent, Applicants do not acquiesce to the Office's interpretation of the claimed subject matter or the references used in rejecting the claimed subject matter. Additionally, Applicants do not acquiesce to the Office's

combinations and modifications of the various references or the motives cited for such combinations and modifications. These features and the appropriateness of the Office's combinations and modifications have not been separately addressed herein for brevity. However, Applicants reserve the right to present such arguments in a later response should one be necessary.

In light of the above, Applicants respectfully submit that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the number listed below.

Respectfully submitted,

/Hunter E Webb/
Date: October 22, 2008

Hunter E. Webb
Reg. No.: 54, 593

Hoffman Warnick LLC
75 State Street, 14th Floor
Albany, New York 12207
(518) 449-0044
(518) 449-0047 (fax)